IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPEAL NO.773 OF 2000

1. Shankar Rajling Raskonda] Appellants.
2. Anjayya Bhumayya Katnapalli](Org.Acc.Nos.1&2)

versus

The State of Maharashtra : Respondents.

K.S.Patil for appellant No.1.

Mr.A.S.Shitole, APP, for the State.

CORAM : D.G.DESHPANDE &

V.M.KANADE, JJ.

DATED : 6th December 2005.

OPERATIVE ORDER

. For the reasons separately recorded, the following order is passed :-

Appeal is partly allowed.

Conviction of accused No.2 Anjayya Bhumayya Katnapalli under Section 302 r/w 34 of the Indian Penal Code is set aside.

He is acquitted.

Conviction of accused No.1 Shankar Rajling Raskonda under Section 302 of the Indian Penal Code is maintained so also his sentence.

Bail bond of accused No.2 stands cancelled.

[D.G.DESHPANDE,J]

[V.M.KANADE,J]